

**DECLARATION IN CO-PENDING APPLICATION  
CONTAINING ADDITIONAL SUBJECT MATTER**

**ATTORNEY'S DOCKET NO.  
121E-0164U**

*As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 201 below, or a joint inventor if plural inventors are named below at 201-203, of the invention entitled:*

**FLYING DISC HAVING CONTOURED FEATURES**

*which is described and claimed in the attached specification; that this application in part discloses and claims subject matter disclosed in my earlier filed pending application,*

*Serial No. 60/439,562 filed January 14, 2003;*

*Serial No. Not assigned yet filed January 12, 2004;*

*Serial No.                          filed                         ;*

*I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above;*

*that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 C.F.R. § 1.56;*

*that as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application;*

*that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and*

*as to applications for patents or inventor's certificate on the common subject matter filed in any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,*

*no such applications have been filed, or*

*such applications have been filed as follows:*

**FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day month, year)	PRIORITY CLAIMED UNDER <u>35 USC 119</u>
			YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION**

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s), with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

GREGORY R. EVERMAN – REG. NO. 47,553  
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**BEST AVAILABLE COPY**

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ADDRESS				

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Michael S. Holgate

Signature of Inventor 201 	Signature of Inventor 202	Signature of Inventor 203
Date 1/14/04	Date	Date

Additional signatures are being saved on separately numbered sheets attached hereto.